



**BERNALILLO
COUNTY
METROPOLITAN
COURT**

Language Access Plan

BERNALILLO COUNTY METROPOLITAN COURT

Language Access Plan

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I. LEGAL BASIS AND PURPOSE

This document serves as the plan for the Bernalillo County Metropolitan Court ("Metropolitan Court" or "Court") to provide services to persons with limited English proficiency ("LEP") in compliance with federal and state law, including Title VI of the Civil Rights Act.¹ The purpose of this Language Access Plan ("Plan") is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the Metropolitan Court.

While the requirements for serving deaf and hard-of-hearing persons are provided for under the Americans with Disabilities Act of 1990, as amended ("ADA"), rather than Title VI of the Civil Rights Act, the provision of Court interpreters and other language services for deaf and hard-of-hearing persons are also periodically referenced in this Plan.

II. NEEDS ASSESSMENT

A. Statewide by Language

The State of New Mexico provides court services to a wide range of people, including those who speak limited or no English and those who are deaf or hard-of-hearing. According to data provided by the New Mexico Administrative Office of the Courts ("AOC"), the most frequently encountered languages in New Mexico's courts are (in descending order of frequency):

1. Spanish;
2. American Sign Language ("ASL");
3. Navajo, Vietnamese, Chinese, and Arabic.

Each year, interpretation is provided in New Mexico's courts in an estimated Fifty (50) different languages.

B. Bernalillo County by Language

The following data shows the spoken (i.e., not signed) languages other than English that are most frequently used in Bernalillo County, which is this Court's geographic area.

1. Modern Language Association Data

The following information comes from the Modern Language Association ("MLA"). The MLA data² indicates the percentage of county residents above the age of Five (5) who speak the language at home; it does not indicate proficiency or lack of proficiency in English.

The top Five (5) languages other than English in Bernalillo County are as follows:

¹ Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.); 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112.

² The MLA does not update its data annually. The data listed is the most current as of the date of this update to the Court's Plan.

- a. Spanish – 25.87%;
- b. Navajo – 0.93%;
- c. “Other specified North American Indian languages” – 0.67%;
- d. Vietnamese – 0.49%; and,
- e. Chinese – 0.45%.

In addition to those top Five (5) languages, the MLA data lists Twenty-Four (24) additional languages for Bernalillo County, each spoken by between 0.03% and 0.35% of the population. These listings can be viewed at the following web address: https://apps.mla.org/map_data

2. Migration Policy Institute Data

The following data comes from the Migration Policy Institute (“MPI”).³

The MPI data indicates the percentage of county residents above the age of Five (5) who are classified as Limited English Proficient. MPI only lists a language if it is spoken by Five Percent (5%) or more of a county's total population or by Five Hundred (500) or more persons within a county, and if those speakers are also Limited English Proficient.

MPI lists the following LEP data for Bernalillo County:

- a. 46,600 Spanish-speaking LEP persons (7.6% of the County’s population);
- b. 1,700 Vietnamese-speaking LEP persons;
- c. 1,300 Chinese-speaking LEP persons; and,
- d. 700 Navajo-speaking LEP persons.

C. Metropolitan Court by Language

The Metropolitan Court makes every effort to provide services to all LEP persons. This section describes the languages other than English that are most frequently used in the Court. The following data shows the requests for language access services in the Metropolitan Court.

1. Interpreters Used in the Courtroom

Interpretation services are most frequently used in the courtrooms of Metropolitan Court for the following languages:

- a. Spanish;
- b. ASL;
- c. Vietnamese;
- d. Arabic; and
- e. Chinese.

Specifically, over a period from July 1, 2018 to June 30, 2019 (“Fiscal Year 2019”), interpreters were utilized Four Thousand, One Hundred Forty-Eight (4,148) times to provide individuals with

³ MPI does not update its data annually. The data listed is the most current as of the date of this update to the Court’s Plan.

courtroom interpretation services in Spanish and Four Hundred Forty-Seven (447) times in languages other than Spanish. Of the languages other than Spanish, Sixty-Six (66) times were for Vietnamese, Forty-Six (46) times were for Arabic, Thirty (30) times were for Chinese (Mandarin), Thirty (30) times for Farsi, Twenty-Eight (28) times for Swahili, Fourteen (14) times for Tagalog, Eleven (11) times for Sango, Seven (7) times in Thai, Six (6) times in Pashtu, and Five (5) times in Turkish. In addition to spoken language interpreters, signed language interpreters were utilized One Hundred Nineteen (119) times and certified deaf interpreters were utilized Twenty-One (21) times during Fiscal Year 2019.⁴

In addition, interpretation services in French, Gujarat, and Navajo, are also increasingly called for in the courtrooms of the Metropolitan Court, although to a far lesser extent than Spanish.

2. Language Assistance Outside of the Courtroom

In July 2015, the Court began rolling out a Court-wide procedure for tracking when employees assisted LEP individuals outside of the Courtroom. All Divisions that are involved with any communication with outside parties regularly track the number of LEP individuals they assist. For fiscal year 2019 (July 1, 2018 through June 30, 2019): The Court utilized Two (2) American Sign Language interpreters for the Court's schools⁵; The Court also utilized contract Spanish interpreters One Hundred Thirty-Five times, which includes interpreting for the Court's schools; Two (2) of the Court's Language Access Specialists in Spanish, who work in the Court's Self-Help Center and Mediation Division Offices, provided information and assistance to LEP individuals in Spanish Nine Hundred Ninety-Seven (997) times; Background Investigations assisted One Hundred Sixty (160) LEP individuals in Spanish and One (1) individual in Navajo; Customer Service assisted Five Thousand Five Hundred Fifty-Three (5,553) LEP individuals in Spanish, Nineteen (19) individuals in Vietnamese, One (1) individual in Navajo, and Fifty-One (51) individuals in languages other than Spanish, Navajo, or Vietnamese; the Civil Division assisted One Thousand Five Hundred Eighty-Six (1,586) LEP individuals in Spanish; and the Probation Division assisted Five Hundred Seventy-One (571) individuals in Spanish and Fifteen (15) individuals in languages other than Spanish, Navajo, or Vietnamese.

When interpretation of languages other than Spanish is required outside of the Courtroom, Court employees regularly utilize the telephonic interpretation services provided by Certified Languages International (CLI), an outside interpretation contractor of the AOC.⁶ During Fiscal Year 2019, the Court used CLI One Hundred Fifty-Nine (159) times. Usage was for the following languages: Spanish (85), Swahili (31), Vietnamese (22), Arabic (22), Haitian Creole (11), Pashto (10), Chinese (8), Lao (7), Tagalog (5), Yoruba (5), Amharic (4), Visayan (4), Farsi (3), French (3), Turkish (3), Kinyarwanda (3), Korean (3), Dari (2), Portuguese (2), Navajo (1),

⁴ The information contained in this paragraph is based on data compiled and maintained by the Manager over the Court's Interpreter Division. This information reflects the number of times interpretation services were provided by the Court and does not reflect the number of individuals for whom those services were provided. This is because, during some interpreter assignments, multiple clients may be served.

⁵ The Metropolitan Court operates a Driver Improvement School, a Driving While Intoxicated School, and an Aggressive Driving School in The Shops @ Metro Park.

⁶ The AOC can access reports on the use of the CLI phone service, which is used mostly for out-of-courtroom, and occasionally for in-courtroom interpretation services.

Thai (1).

3. Tracking Use of Interpreters

The Metropolitan Court will ensure that data tracking of its use of interpreters continues by means of the following steps:

- a. The Manager of the Court's Interpreter Division will continue to track the number of times in-person or Video Remote interpretation services are required in the courtrooms of the Metropolitan Court.
- b. The Court may request data from the AOC or its contractor (Certified Languages International) on the Court's use of the telephonic interpretation services both in and out of the courtroom for which the AOC has contracted on behalf of all state courts.
- c. Except for the Court's use of its own employees, who are Court Certified interpreters in Spanish, all interpreters are scheduled using a centralized interpreter scheduling management system managed by the AOC, or through Certified Languages International, Video Remote Interpreting ("VRI"), and VRI on-demand. The Court keeps accurate and detailed statistics on the use of in-person interpretation in the Court, particularly with respect to the use of its employee interpreters who generally provide all Spanish interpretation in the courtrooms in all criminal proceedings and civil proceedings that are not trials. Outside interpreters are typically only used in civil trials and in languages other than Spanish in criminal courtroom proceedings.

III. LANGUAGE ASSISTANCE RESOURCES

A. Interpreters Used in the Courtroom

1. Provision of Interpreters in the Courtroom

The provision of spoken-language and signed-language interpreters in court proceedings is based on New Mexico State statutes, the New Mexico Constitution, and in Rules 7-114 and 3-113 NMRA. In the Metropolitan Court, interpreters will be provided at no cost to court customers, witnesses, jurors, and other parties who need such assistance under the following circumstances:

- a. For a deaf or hard-of-hearing litigant, juror, observer (when an observer has submitted a request to the court prior to the proceeding), or witness in any type of court proceeding. Title II of the ADA requires local and state courts to provide qualified signed language interpreters or other accommodation to ensure effective communication with deaf and hard-of-hearing individuals.

- b. For a non-English speaking person who is a principal party-in-interest or a witness in any case whether criminal⁷ or civil.
- c. For victims who are active case participants, i.e., testifying as a witness or when making a statement at sentencing.
- d. For any non-English speaking juror. A certified court interpreter shall be provided to petit jurors, including jury orientation, voir dire, deliberations, and all portions of the trial.

It is the responsibility of the litigants or their attorneys (whether private attorneys, public defenders, or district attorneys) to provide qualified interpretation and translation services for witness interviews, pre-trial transcriptions, depositions, and mediations (except for those mediations that occur in the Metropolitan Court's Mediation Division), for translations, and for attorney-client communications during court proceedings. This includes any audio or video that may be provided as an exhibit or evidence. The AOC issued Guidelines, dated July 22, 2016, for audio recorded, video recorded or written materials in languages other than English. These Guidelines address circumstances in which interpreters may and may not be used to perform sight translation in the courtroom. They may be accessed at <https://languageaccess.nmcourts.gov/rules-guidelines-memos-1.aspx>.

Because Spanish language interpretation services are most frequently required in the Metropolitan Court, the Court is fortunate to employ Three (3) full-time employees who are Court certified interpreters in Spanish.

2. Determining the Need for an Interpreter in the Courtroom

The Metropolitan Court determines whether an LEP court customer needs an interpreter for a court hearing in various ways.

- a. The LEP person may request an interpreter. The need for a court interpreter may be identified prior to a court proceeding by the LEP person or by someone else on behalf of the LEP person.
- b. Court employees may determine that an LEP person may need an interpreter. The Court has distributed "I Speak" cards that are in over Sixty (60) languages and also has made available to Court staff the toll-free phone number for Certified Languages International, which provides telephonic language interpretation. See **Attachment 1** to this Plan. All Court staff, upon discovering that a party to a case is either LEP, deaf, or hard-of-hearing, are required to note that fact in the Court's electronic case management system ("CMS") so that Judges and other staff are alerted to the language access needs of that individual and interpretation services can be provided. Metropolitan

⁷ In the Metropolitan Court "criminal case" includes those cases that are designated CR (criminal), TR (traffic), DV (domestic violence), PR (parking), and DW (driving while intoxicated) FR (felony).

Court staff will continue to note this information in the CMS.

- c. The statewide Odyssey system. Through the use of the Court's Odyssey electronic CMS, implemented in 2014, the Court is able to flag a person, the case in which the person is involved, and any hearings that are scheduled as requiring interpretation services and specify the language for which an interpreter is needed. Then, any time that person has a hearing before the Court, the need for an interpreter will already have been identified. The list of languages in Odyssey for which a party may be flagged includes spoken languages as well as American Sign Language. While Odyssey is a state-wide party-based system, Court staff are required to manually flag the global party and both the case and hearings if a party requires an interpreter. If an interpreter is needed in a language other than Spanish, Court staff will send a request for an interpreter to a designated internal Court e-mail address so that an interpreter can be scheduled for any upcoming hearings.
- d. The need for an interpreter also may be made known in the courtroom at the time of the proceeding. The Metropolitan Court displays a sign in English, Spanish, Navajo, and Vietnamese that states: "You have the right to an interpreter at no cost to you. If you cannot speak or understand English, or if you need an American Sign Language interpreter, please contact the clerk for assistance." See **Attachment 1** to this Plan. The Metropolitan Court displays this sign at the following locations within the Court: In the entrance foyer of each Courtroom, in Customer Service, in the Records Viewing Room, in the Jury Division Assembly, in the Jury Division check-in area, in the Probation Waiting Room, in the Self-Help Center, and in other locations throughout the Court.
- e. A judge may determine that it is appropriate to provide an interpreter for a court matter. Many people who need an interpreter will not request one because they do not realize that interpreters are available, or because they do not recognize the level of English proficiency or communication skills needed to understand the court proceeding. The Court does not have funding to provide interpreters for non-mandated proceedings. However, the Court does provide interpreters for parties that participate in its in-house voluntary Mediation Program. Also, the Court can provide some assistance within existing funding restrictions and will endeavor to do so for other non-mandated proceedings.

In a case where the Court is mandated to provide an interpreter, but one is not available at the time of the proceeding even after the Court has made all reasonable efforts to locate one, the case will be postponed and continued until a date when an interpreter can be

provided.

When an interpreter is unavailable for a case in which the court is not mandated to provide one, the Court utilizes a telephonic interpreter.

3. Court Interpreter Qualifications

The Metropolitan Court schedules interpreters for courtroom hearings in compliance with Supreme Court rules and AOC policies.

The AOC maintains a statewide roster of certified court interpreters, registered interpreters in languages other than Spanish, and justice system interpreters who may work in the courts. This roster is available to Court staff and the public on the internet at:

<https://languageaccess.nmcourts.gov/>

The Metropolitan Court has Three (3) full-time certified Spanish interpreters on staff. Additional interpretation needs are coordinated by the Court Manager in charge of the Court's Interpreter Division.

When the Court has made a diligent effort to find a certified court interpreter or justice system interpreter and none is available, the Court may qualify a non-certified interpreter, with the approval of the AOC, for use in a single specific proceeding. In order to qualify the interpreter to interpret the proceeding, Judges must inquire into the interpreter's skills, professional experience, and potential conflicts of interest consistent with Rules 3-113 and 7-114 NMRA.

4. Equipment for the Deaf and Hard-of-Hearing

Assistive listening equipment to serve the hard-of-hearing is available for the courtrooms in the Metropolitan Court. Signage in English, Spanish, and Braille that advertises this resource to the public is posted in the foyer of each courtroom.

As of the latest revision of this plan, the AOC is engaged in an ongoing pilot program for providing video remote interpreting ("VRI") for the deaf. If the pilot is successful, the AOC will extend the program statewide. The Court was chosen to take part in this pilot program, and on November 13, 2015, three (3) video remote interpreting cameras with monitors were installed in the Court. These video remote interpreting camera workstations are currently located in the following divisions in the Court: Customer Service, the Self-Help Center/Mediation Offices, and the Probation Division. The Court has also installed the video remote interpreting equipment on a laptop (portable computer) that Court staff and volunteer attorneys can utilize at the Metro Court Free Legal Clinic that takes place once a month. The Court has been pleased to take advantage of this resource to serve its deaf clients and customers. As of October 2018, the service provider for the Court's VRI stations expanded its services to include access to all spoken languages in addition to American Sign Language.

The Court also has available Communication Access Real Time Translation ("CART") equipment to help the hard-of-hearing. CART uses a transcriptionist to type conversations that are being held in real time so that hard-of-hearing clients can also read on a screen for better

understanding (similar to closed-captioning).

B. Language Services Outside the Courtroom

The Metropolitan Court takes reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. Providing language services outside the courtroom entails daily communications and interactions between court staff and LEP individuals to provide accessibility to court services, such as probation, self-help, and mediation services to LEP court users.

This is perhaps the most challenging situation facing Court staff, because in most situations they are charged with assisting LEP individuals without an interpreter present. LEP individuals may come in contact with Court personnel via the phone, the public counter, or other means. The Two (2) most common points of service outside the courtroom are at the counter in the Court's Customer Service Division and also in the Court's Probation Division. Bilingual assistance is provided in those divisions by the placement of bilingual staff as is practical. The Court also periodically calls on other bilingual staff from elsewhere in the Court to assist in those areas.

To facilitate communication between LEP individuals and Court staff in out-of-courtroom settings, the Metropolitan Court uses the following resources:

1. "I Speak" cards in over Sixty (60) languages have been provided to Court staff who work with the public to assist staff in identifying an LEP individual's primary language;
2. Multilingual signage in English, Spanish, Vietnamese, and Navajo, that also highlights signed-language services, is located throughout the Courthouse;
3. Telephonic interpreting services in over One Hundred Seventy-Five (175) languages through Certified Languages International ("CLI") are available to provide assistance throughout the Courthouse;
4. There are Two (2) Language Access Specialists in Spanish who work in the Court's Self-Help and Mediation Office and One (1) Language Access Specialist in Spanish who works in the Court's Administration Division. The Court also has One (1) Language Access Specialist in Navajo in its Background Investigations Division. These are bilingual employees of the Court who have successfully completed justice system language access training through and have been certified by the New Mexico Center for Language Access. They are a category of employee specifically created by the New Mexico Judiciary to ensure the delivery of meaningful language access services in out-of-courtroom settings. Periodically, information on upcoming training sessions to become a Language Access Specialist is distributed by e-mail to all employees;
5. Other bilingual employees;

6. The Court's website at www.metro.nmcourts.gov has a Spanish mirror version. The website of the NM Judiciary at <https://nmcourts.gov/> has likewise been professionally translated into Spanish. In addition, AOC Language Access Services posts language access resources in English, Spanish, and additional languages at, <https://languageaccess.nmcourts.gov>. In 2019, the AOC Language Access Services webpage added the following services for Self-Represented Litigants who are LEP; blind/low-vision; low literacy/computer literacy or deaf/hard-of-hearing:
 - a. An avatar who guides users through the site. This virtual assistant speaks English, Spanish and Navajo and can respond to either written or verbal commands.
 - b. Videos on Which Court is Which and Representing Yourself in Court (English, American Sign Language, Spanish, Navajo; closed captioning).
 - c. Videos on specific Self Help topics (English, Spanish, Navajo; closed captioning).
7. Written information in multiple languages (see Section C, below);
8. A Spanish language voice message option for incoming callers, who are then routed to bilingual employees, as available;
9. Court certified interpreters who are either employed by the Court or contracted to the Court may occasionally be used. Typically, however, certified interpreters are not providing this type of informal interpretation as their time is devoted to the Courtroom; and
10. Three (3) Video Remote Interpreting ("VRI") stations for the deaf and spoken languages are located in key areas of the Court. The VRI stations are also equipped for video interpreting of spoken languages. In addition to the set stations, the VRI program is on a laptop that can be utilized anywhere in the Court when needed.
11. Availability of Communication Access Real Time Translation ("CART") services.

C. Translated Forms and Documents

The Metropolitan Court understands the importance of translating forms and documents so that LEP individuals have greater access to services. The AOC may translate documents upon request. All translation requests should be submitted to: translations-grp@nmcourts.gov.

The Metropolitan Court currently uses the following forms and instructional materials translated into multiple languages.

1. The Court had the following documents translated into Spanish by certified translators contracted by AOC:

- a. How to File a Lawsuit Pamphlet
- b. How to Answer a Civil Lawsuit Pamphlet
- c. Commonly Used Motions and Forms Pamphlet
- d. Discovery Pamphlet
- e. Pre-Trial and Trial Pamphlet
- f. Appeal Pamphlet
- g. Mediation Pamphlet
- h. Collection of a Judgment Creditor and Debtor Pamphlet
- i. Landlord's Process for Evicting a Tenant Pamphlet
- j. Tenant's Relief and Response to Landlord's Eviction Process Pamphlet
- k. Traffic Brochure
- l. List of Those State Statute Charges that Have a Set Fine Amount
- m. Notice of Non-Discrimination under the ADA and Federal Civil Rights Laws
- n. Notice of Grievance Procedures under the ADA and Federal Civil Rights Laws
- o. Complaint Form
- p. Routing Information Sheet
- q. Metropolitan Court Fees and Costs Schedule
- r. Metropolitan Court Aggressive Driving School Student Worksheet
- s. Driver Improvement School Personal Action Plan
- t. Metropolitan Court Procedural Fairness Survey
- u. Agreement to Mediate
- v. Defendant's Release of Information and Consent Form
- w. Three-Day Notice Poster for Customer Service
- x. Driver's License Suspension & Clearance Paperwork Info Sheet
- y. Traffic Arraignment Info Sheet
- z. Community Service FAQ Sheet
- aa. Conditions of Probation
- bb. Ignition Interlock Affidavit
- cc. Ignition Interlock Instructions
- dd. Outside Drug Testing Referral
- ee. Probation Officer Appointment Slip
- ff. Supervised Release Contract
- gg. Zero Tolerance Policy
- hh. Application for Free Process & Affidavit of Indigency
- ii. IPRA Poster
- jj. Marriage Information Sheet
- kk. How to Serve a Civil Summons Flyer
- ll. Court Decorum Flyer
- mm. Notice of Right to Interpreter (translated into Eleven (11) languages)

- nn. Handicap Elevator Notice
- oo. Probation Defendant Release Information
- pp. Arraignment Information Advice of Rights
- qq. Requesting a Court Hearing for a Parking Citation
- rr. Legal Clinic Flyer
- ss. Legal Clinic disclaimer/assistance statement
- tt. Notice regarding medical implant devices through security
- uu. ADA Request Form
- vv. Online Dispute Resolution tool (see <https://adr.nmcourts.gov/odr-esp.aspx>)
- ww. Request for Interpreter form bilingual (English/Spanish) format
- xx. Civil Summons in bilingual (English/Spanish) format

2. The above-described civil pamphlets (paragraphs a.-j.) are available to staff and the public at the Court's Self-Help Center, in the civil Courtrooms, and in Customer Service. Application for Free Process (paragraph hh.) is available in the Self-Help Center of the Court for self-represented litigants. The Traffic Brochure (paragraph k.) has been provided by the Court in English and Spanish to the Albuquerque Police Department for distribution to the public by police officers when they give out traffic tickets.
3. All of the above documents (except for p.-gg. and ii.-tt.) are on the internet at <https://metro.nmcourts.gov/>, which also contains considerable additional content in Spanish. The Routing Information Sheet (paragraph p.) is handed out in the Courtroom as appropriate; Agreement to Mediate; and Defendant's Release of Information and Consent Form (paragraphs u. and v.) are handed out in certain divisions in the Court; The Metropolitan Court Fee and Costs Schedule (paragraph q.) is posted in each Courtroom. The Metropolitan Court Aggressive Driving School Student Worksheet and Driver Improvement School Personal Action Plan (paragraphs r. and s.) are handed out in The Court's Driver Education Class. The Metropolitan Court Procedural Fairness Survey (paragraph t.) is handed out in our Specialty Courts. The Three-Day Notice Poster for Customer Service (paragraph w) is posted in Customer Service. The forms listed in paragraphs x. through jj. and oo. Through qq. are internal forms used by various divisions within the Court and handed out to defendants as appropriate. The How to Serve a Civil Summons Flyer and the Court Decorum Flyer (paragraphs kk. and ll.) are posted in the Self-Help Center. Also posted in the Self-Help Center and Customer Service is the Legal Clinic Flyer (rr.). The Legal Clinic disclaimer/assistance statement (ss.) is posted during the Court's monthly free legal clinic in and around the Court's Ninth (9th) floor, where the Legal Clinic takes place on the second (2nd) Friday of every month. The Notice regarding medical implants (tt.) is located in the security area of the Court before people pass through the metal detectors to fully enter the courthouse.

4. The Court has identified a need to have all pleadings translated into Spanish. Many years ago, the Supreme Court appointed the New Mexico Language Access Advisory Committee (originally the Court Interpreter Advisory Committee), which includes representatives from the Court. Its purpose is to address language access issues impacting all of the New Mexico courts. In 2013, the Supreme Court appointed the New Mexico Judicial Translation Project Team, which is a sub-committee of the New Mexico Language Access Advisory Committee and also includes representatives from the Court. Its purpose is to address forms, other types of written translation, and the broader implications of document translation for New Mexico's courts. As a result of the work of the New Mexico Judicial Translation Project Team, a District Court Self Help Guide was launched in English and Spanish in December 2015. While the Metropolitan Court is a Court of Limited Jurisdiction, much of this guide will be useful to self-represented litigants in this Court.
5. As the only state in the United States that seats limited or non-English speaking jurors, the AOC provides on the New Mexico Judicial Branch website the juror questionnaire, qualification form, handbook, affidavit of age request for permanent exemption, jury scam flyer, and orientation video (open captioned) in Spanish. The questionnaire and qualification form are also provided in Navajo. The orientation video with the open captioning in Spanish can be found at: <https://jury.nmcourts.gov/orientacion-del-jurado.aspx>. The orientation video is also available open captioned in English to assist deaf or hard of hearing jurors and can be found at: <https://jury.nmcourts.gov/jury-orientation.aspx>. The above-listed documents can be found in Spanish at <https://jury.nmcourts.gov/inicio.aspx> and in Navajo at <https://jury.nmcourts.gov/juror-qualification-questionnaire-forms-navajo-dine.aspx>.
6. The notice described in paragraph mm. above, reminds the public that they are entitled to an interpreter free of charge, and asks them to check the box by the language they need. This resource is available to download at: <https://languageaccess.nmcourts.gov/language-services-available.aspx>.
7. In Fiscal Year 2018, the Court added language to several forms for use in the civil division so that a party can easily request an interpreter when initiating a civil action or responding to a civil action. This also assists the Court so that the Court can take reasonable steps to assist any LEP individual for their civil hearings. The forms that have been updated include: Petition by Landlord for Restitution, Petition by Landlord for Termination of Tenancy and Judgment of Possession, Answer to Petition for Restitution, Petition by Resident for Possession, Complaint by Resident for Return of Deposit, Complaint in Forcible Entry and Detainer, Civil Complaint, Civil Complaint for Unpaid Wages, and Answer to Civil Complaint.

IV. COURT STAFF AND VOLUNTEER RECRUITMENT

A. Recruitment of Bilingual Staff for Language Access

The Metropolitan Court is an equal opportunity employer. It is the continuing policy of the Court to afford equal employment opportunities to qualified individuals regardless of their race, color, religion, sex (including pregnancy), genetic information, age, national origin, ancestry, physical or mental handicap, disability, serious medical condition, veteran status, spousal affiliation, sexual orientation, gender identity, socioeconomic status, or political affiliation and to conform to applicable laws and regulations. Equal opportunity encompasses all aspects of employment practices including, but not limited to, recruitment, hiring, placement, promotion, classification, referral, termination, layoff, recall, transfer, leave of absence, compensation, fringe benefits, and training. The Court recruits and hires bilingual staff to serve its LEP constituents. The Bernalillo County Metropolitan Court is committed to maintaining a diversified workforce that reflects the available labor force in the community. Overall, the Bernalillo County Metropolitan Court's workforce is representative of the available labor force in the community.

The Court has been very successful in its recruitment efforts. Primary examples include, but are not limited to:

1. Three (3) full-time Court-Certified Spanish language interpreters are employees of the Court;
2. Employees who are bilingual in Spanish serve in the Customer Service Division, which staffs the public counters on the first floor and fields calls from the public;
3. Employees who are bilingual in Spanish serve in the Court's Probation Division;
4. Employees who are bilingual in Spanish serve in the Court's Background Investigations Division, which not only conducts criminal background investigations of defendants, but also processes defendants posting bonds for their release from jail;
5. Employees who are bilingual in Spanish serve in the Court's Courtrooms;
6. Two (2) full-time employees who are Court Language Access Specialists in Spanish serve in the Court's Self-Help Center and Mediation Office along with one (1) Spanish Language Access Specialist who works in the Administration Division; the Court also has One (1) Language Access Specialist in Navajo in its Background Investigations Division; and
7. Bilingual employees in the various divisions are willing to assist other divisions with contacts from LEP individuals, as needed.

B. Recruitment of Volunteers for Language Access

The Court also recruits and uses volunteers to assist with language access in the following areas: In the Mediation Division, to assist LEP users participating in Mediations. The Court is fortunate to have at least eleven (11) volunteer mediators who speak Spanish, and other volunteer mediators who speak Italian, Cantonese, Korean, German, Norwegian, Indonesian, Portuguese, and French.

V. JUDICIAL AND STAFF TRAINING

The New Mexico State Courts and the Bernalillo County Metropolitan Court are committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered by the New Mexico Supreme Court and Metropolitan Court will be expanded or continued as needed. These opportunities include:

1. Mandatory language access training for all new and continuing employees, using a language access training video, *Language Access is Equal Access*, developed by the New Mexico Judiciary along with a Metropolitan Court created training video and a PowerPoint titled *Non-Discrimination and Commitment to Access*. A policy directive mandating the training was issued by the Supreme Court in the form of an Order in April 2011. A subsequent policy directive was issued by the AOC in October 2011 in the form of a Language Access Training Policy. The AOC distributed an accompanying training acknowledgment form, which is to be signed by each employee and added to his or her personnel file after training has been completed. See **Attachments 2 and 3** to this Plan. Metropolitan Court employees completed this mandatory training in March of 2012, and all new employees have received the training since then. In May and June of 2016, and again in June 2018, all Metropolitan Court Employees were required to watch the Language Access Training Video.
2. Additional language access training for new and current employees using another video, *Breaking Down the Language Barrier*, a training tool provided by the Department of Justice. This was required viewing for all Court employees and Judges in July 2017;
3. Scholarships and wage incentives (as available) to encourage the enrollment of current bilingual employees in the Language Access Specialist certificate program offered through the New Mexico Center for Language Access. The AOC periodically sends out broadcast e-mails to judicial branch employees on this program;
4. An annual Language Access Specialist symposium, the benefits of which include a full year's worth of Continuing Education Units, as well as LAS webinars throughout the year;
5. Conferences, judicial conclaves, webinars, etc. that include sessions dedicated to language access topics, organized by AOC Language Access Services and

its partner, the NM Center for Language Access;

6. The AOC and national colleagues have developed the Language Access Basic Training ("LABT"), a downloadable interactive training program. The training is geared toward all judicial employees, and also contains more intense modules of practice and skills assessment for bilingual employees. Training topics include Legal Basis; Ethics; and Roles of Court Staff and Cultural Competency. The LABT is available at: <https://www.nmcenterforlanguageaccess.org/lafund>. In June of 2019, all Court staff were required to watch the LABT "Roles of Court Staff" video.
7. Instruction for all staff on the Court's LAP policies and procedures, as described in this plan and in the Court's Policy of Non-Discrimination under the ADA and Federal Civil Rights Laws and corresponding Grievance process. Metropolitan Court employees completed this mandatory training in October of 2014, and signed an accompanying training acknowledgment form. Since then, as new employees join the Court, they also receive this training;
8. Interpreter coordinator training;
9. Judicial officer orientation on the use of court interpreters and language competency; and,
10. Language Access Specialists are required to maintain certification by earning Continuing Education Units (CEU). Language Access Specialists must earn Four (4) CEU's per year. The New Mexico Center for Language Access provides free webinars throughout the year and an annual symposium, which count toward earning CEU's. The webinars and symposium provide training on increasing Court terminology and developing a code of ethics for Language Access Specialists.

VI. FUNDING AND PROCUREMENT ISSUES

The Metropolitan Court commits significant resources to the following language access efforts: employing Three (3) Spanish interpreters; signage; and assistive listening/interpreting equipment in all the Court's courtrooms. The New Mexico Supreme Court and the Administrative Office of the Courts also commit significant resources to the following language access efforts to benefit all state courts on a regular basis: signage; assistive listening/interpreting equipment; Video Remote Interpreting cameras and monitors for signed language and spoken languages; certified interpreter services for court proceedings for spoken and signed languages; training and certification of interpreters and Language Access Specialists; Communication Access Realtime Translation ("CART"); 24/7 telephonic interpreting available in One Hundred Seventy-Five (175) languages for out-of-courtroom communication with LEP individuals; and the development of related training materials for court personnel and language access service

providers. The New Mexico Judiciary will continue to support the Metropolitan Court's language access efforts through these services and will work to identify new funding opportunities to support language access efforts across the judiciary and specific to the needs of the Metropolitan Court.

Due to a shortfall in revenue and an increase in demand for services, the AOC issued a Memorandum on August 18, 2016 titled, "Language Access Services – Budget Constraints". The Memorandum calls on New Mexico's courts to assist in optimizing use of resources through measures, such as remote interpreting is available at: <https://languageaccess.nmcourts.gov/rules-guidelines-memos-1.aspx>.

VII. PUBLIC OUTREACH AND EDUCATION

To communicate with the Court's LEP constituents on various legal issues of importance to the community and to make them aware of services available to speakers of any language, the Bernalillo County Metropolitan Court provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts include:

1. Information on Court processes is available in Spanish on the Court's publicly accessible website at <https://metro.nmcourts.gov/>. The website also directs the public to the Court's general information phone number where Spanish speakers are directed in Spanish to press a number on their phone so that their calls can be directed to one of the Court's bilingual employees.
2. A paralegal from the Court's Self-Help Center, who is also a Court Language Access Specialist in Spanish, helped with the creation of the Metropolitan Court free monthly legal clinic in 2017 and continues to be an integral part of the clinic providing self-help assistance, intake, and interpretation. Attorneys come to this clinic and volunteer their time to help people navigate their court cases. The clinic is also set up with mobile video remote interpreting equipment to help deaf participants. The paralegal from the Court's Self-Help Center also regularly participates on behalf of the Court in events such as the Law-La-Palooza Free Legal Fair, which is held several times per year in different locations throughout the County of Bernalillo. At the legal fair, representatives from the Second Judicial District Court Pro Bono Committee, volunteer lawyers and judges, and other volunteers provide legal information and legal advice to the public at no charge. The Court's representative is not an attorney and as a representative of the Court cannot provide legal advice. However, she staffs a table with a banner for the Metropolitan Court and provides information on the Court's Self-Help Center and other services provided by the Court, as well as information on both civil and criminal procedure. She also provides pamphlets on various aspects of civil litigation, which are in both Spanish and English. As she is a Language Access Specialist and bilingual in Spanish, she is able to assist individuals in both Spanish and English. She has also participated in the N.M. Translation

Project, which created a Self-Help Guide for District Court in English and Spanish. In fiscal year 2018, she served as an appointed liaison for the Access to Justice Commission (ATJ) on statewide language access services and continued to do so in fiscal year 2019. She also represents the Metropolitan Court at the State Bar of New Mexico Legal Services and Programs Court and Consortium Committee where she reports on language access services. Throughout fiscal year 2019, she has been able to assist at the Second Judicial District Court Pro Bono Committee sponsored Real ID Clinic where she assists and translates for LEP clients. In May 2019, she was able to attend the National Equal Justice Conference in Kentucky where she attended break-out sessions related to providing language access services. Attending these events has made it possible to share information as well as gather resources for LEP individuals that visit the Self-Help Center. In June of 2018, the Court also established a forms wall near the Customer Service area of the court so that customers can easily obtain forms they may need. Spanish pamphlets and Spanish signage was added to the forms wall to aid LEP individuals who speak Spanish. In March 2019, the 2nd Judicial Pro Bono Committee Chair Judge Levy offered for the Metropolitan Court to refer customers who need scribe services to the ReadWest volunteers, who are housed at the Second Judicial District Court. The Metropolitan Court Self-Help Center has referred customers to obtain scribe services.

3. Bilingual Court representatives participating on and collaborating with the Access to Justice Commission, which is a state-wide group committed to expanding and improving legal services for low-income New Mexicans; the Second Judicial District Pro-Bono Committee, which is a local committee comprised of court staff, legal service providers, and volunteer attorneys as described in the Access to Justice State Plan and who are tasked with increasing and strengthening pro bono services at the local level; and the New Mexico Language Access Advisory Committee, which is a state-wide committee tasked with reviewing rules, policies, and plans to expand language access and ensure courts are in compliance with Title VI. The Court also has representatives serving on the state-wide New Mexico Judicial Translation Project Team and the state-wide Literacy Challenges Working Group.
4. Court representatives regularly visiting and working with local community organizations in order to provide them with information on services provided by the Court and on how LEP individuals can access Court services and information. Through the Court's involvement with various community service organizations, many of which serve LEP individuals, the Court is able to be a presence in the LEP community.
5. The Court solicits input from the LEP community and its representatives through surveys and by continuing its meetings with various community service organizations on how LEP individuals can access Court services.

6. The Court has benefited from state-wide Public Service Announcements regarding the accessibility of the courts, which the AOC distributed to radio stations (in English, Spanish, Navajo, and Vietnamese).
7. Upon signature of the latest revision of this Plan, the Chief Judge or Court Executive Officer will send a notice to known local legal and community stakeholders enclosing the Plan.

VIII. COMPLAINT PROCEDURE

The Bernalillo County Metropolitan Court publishes documents in English and Spanish on its website at www.metro.nmcourts.gov that advise the public of their rights under the ADA and Federal Civil Rights laws, as well as how to instigate a complaint. See **Attachments 4 – 6** to this Plan. These documents can be translated into additional languages upon request.

IX. PUBLIC NOTIFICATION AND EVALUATION OF LANGUAGE ACCESS PLAN

A. Plan Approval and Notification

The Bernalillo County Metropolitan Court's Language Access Plan is subject to approval by the Chief Judge and the Court Executive Officer. Upon approval, a copy will be forwarded to the AOC. Any revisions to the plan will be submitted to the Chief Judge and Court Executive Officer for approval, and then forwarded to the AOC. Copies of this Plan will be provided to the public on request. The plan is available in English as well as Spanish, translated by a certified translator contracted by AOC. In addition, the Court posts this Plan on its public website at <https://www.metrocourt.state.nm.us>, and the AOC posts it on the New Mexico State Courts' public website at <https://languageaccess.nmcourts.gov>.

B. Annual Evaluation of the Plan

The Bernalillo County Metropolitan Court will routinely assess whether changes to the Plan are needed. Every year, the Court's Language Access Plan Coordinator will review the effectiveness of the Court's Plan and update it as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. Elements of the evaluation will include:

1. Number of LEP persons requesting court interpreters and out-of-courtroom language assistance;
2. Assessment of current language needs to determine if additional services or translated materials should be provided;
3. Solicitation and review of feedback from LEP communities within the County of Bernalillo;

4. Assessment of whether Court staff adequately understand LEP policies and procedures and how to carry them out;
5. Review of feedback from Court employee training sessions;
6. Customer satisfaction feedback; and
7. Ensuring that all time-sensitive references, rules or policies that are subject to change, and individuals mentioned in this plan are up-to-date.

C. Bernalillo County Metropolitan Court Language Access Plan Coordinator:

Rebecca "Becky" K. Kaplan, Language Access Plan Coordinator
Bernalillo County Metropolitan Court
401 Lomas NW, Albuquerque, New Mexico 87102
metrkk@nmcourts.gov
(505) 841-8106

D. AOC Language Access Plan Coordinator:

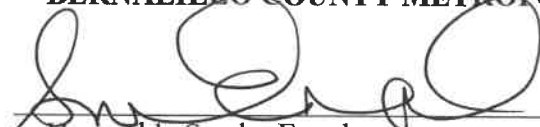
Paula Couselo-Findikoglu
Senior Statewide Program Manager, Language Access Services
New Mexico Administrative Office of the Courts
237 Don Gaspar, Santa Fe, New Mexico 87501
aocpvc@nmcourts.gov
(505) 827-4853

E. Language Access Plan Effective Date:

Original effective date: November 12, 2013
Revised: January 7, 2015
Revised: May 5, 2016
Revised: November 13, 2017
Revised: November 13, 2018
Revised: November 21, 2019

F. Approved by:

**STATE OF NEW MEXICO
BERNALILLO COUNTY METROPOLITAN COURT**

By:  Date: 11/21/19
Honorable Sandra Engel
Chief Judge

By:  Date: 11/20/19
Robert L. Padilla
Court Executive Officer

By:  Date: 11/18/19
Dana L. Cox (Certifying Legal Sufficiency)
General Counsel

List of Attachments to Language Access Plan:

1. Language Access Resources/Procedures:
 - a. Right to Interpreter Sign
 - b. Language Identification Guides
 - c. Procedures for Using Certified Languages International Phone Service
2. Supreme Court Language Access Training Order
3. New Mexico Judicial Branch Language Access Training Policy and Acknowledgement Form
4. Notice of Non-Discrimination under the ADA and Federal Civil Rights Laws
5. Complaint Form
6. Notice of Grievance Procedures under the ADA and Federal Civil Rights Laws

Welcome to the New Mexico Judicial System

Bienvenidos al Sistema Judicial de Nuevo México

Hệ Thống Tòa Án của Tiểu Bang New Mexico chào đón quý vị.

Yá'át'ééh, koji' Yootó Aadahwiinít'í bíl da'íníshj' cho'iisíní'íid.

You have the right to an interpreter at no cost to you.

Tiene derecho a recibir servicios de un intérprete sin costo.

Quý vị có quyền được hưởng dịch vụ miễn phí của thông dịch viên.

Bec na'áhoot'i' ata' halne' é náhółóogo t'áájiik'é.

If you cannot speak or understand English, or if you need an American sign language interpreter, please contact the clerk for assistance.

Si no sabe hablar o no entiende inglés, o si necesita un intérprete de señas, comuníquese al empleado en la ventanilla.

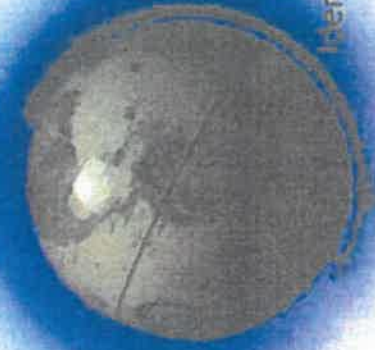
Nếu quý vị không nói được hoặc không hiểu được tiếng Anh, hoặc nếu quý vị cần dịch vụ của thông dịch viên sử dụng Ngôn Ngữ Cử

Chỉ của Hoa Kỳ (American Sign Language), xin liên lạc với thư ký
òa án để được giúp đỡ.

Doo yánítígóó éí doodaii Bilagáana bizaad doo dínits'a' góó éí aaij doo
yádaakti'ígíí bá ata' halne' é lá' bá dahółó, t'áá shóodi áka' anídaalwo'ígíí lá' bich'í
hanídziih.

ATTACHMENT 1





Language
Identification
Guide

I speak...

This language identification guide is a tool for law enforcement and other criminal justice agencies to identify the language of individuals they encounter who do not speak English.

I speak is provided as a partnership effort of the Bureau of Justice Assistance and the Ohio Office of Criminal Justice Services.

The Purpose of This Language Identification Guide

As the limited English proficient (LEP) population continues to increase nationwide, the number of LEP defendants, victims, and witnesses processed through the criminal justice system will also increase. This guide can help to obtain interpretive services, which is the first step in working with LEP persons. It is also intended as a resource for the criminal justice community to ensure consistent and effective interaction with LEP persons.

S

Sign Language (American)



Slovak

Hovorím po slovensky

Somali

Waxaan ku hadlaa af-Soomaali

Spanish

Yo hablo español

Swahili

Ninaongea Kiswahili

Swedish

Jag talar svenska

I speak ...

A

Arabic

أنا أتحدث اللغة العربية

Armenian

Ես խոսում եմ հայերեն

B

Bengali

আমি বাংলা কথা বোলতে পারি

Bosnian

Ja govorim bosanski

Bulgarian

Аз говоря български

Burmese

ကျွန်တော်/ကျွန်မ မြန်မာလို ပြောတတ်ပါတယ်။

T

Tagalog

Marunong akong mag-Tagalog

Thai

พูดภาษาไทย

Turkish

Türkçe konuşurum

U

Ukrainian

Я розмовляю українською мовою

Urdu

میں اردو بولتا ہوں

Aldonkio	Shqip
Tregoni me gjuhë guhem që flini. Do të gjyem në politikës për ju	
Armenian	Zumtshikë
Dog veta rin' at'u bënë le husho redheq peshqitshiq dh' kushij shudje.	Euzkera
Zone thimbia atzarmarroz erastoku fokardand baten detulo deusaju.	
Bulgarian	Svintropena euzas
Rocovet Bapana eusa. Hite lue isasatise nrepatay 18 Bec.	Catala
Catalan	
Idenytai amb el dit el seu idioma Es trocava a un anticiprei.	Hrvatska
Croatian	
Molim Vas, polakite nam Vas izak. Zvit čemo tumača za Vas.	Česky
Czech	
Ustavte, kazr je vsj porok. Zvolavite zlmistivce.	Dansk
Danish	
Peg på på sprag. En told vil blive tilfaldig.	Nederlands
Dutch	
Vraag mij een taal aan. wij zullen u een tolk geven.	Dzesti Koel
Estonian	
Näidake oma teadmiskõle me muretsene teale kõlgi.	Suomi
Finnish	
Osoittakaa minun kielenne Tulkki kysyttään autamaan teitä	Français
French	
Montrez-nous quelle langue vous parlez. Nous vous fournirons une interprète.	Deutsch
German	
Zeigen Sie auf Ihre Sprache Wir rufen einen Dolmetscher an.	Elliptind
Greek	
Δείξτε μου γλώσσας μιλείτε και θα στείλω εγώ διαγλώσσας.	Magyar
Hungarian	
Viláskozni ki az ön által beszélt nyelvet Kiszolgáljuk a tolmácsokat.	

Akan	Ituro mo ro a'ong hambae Maklawang kani ai mak-interpret	Akanon
Filipin	Dina na nomo yosa Ela yai kani edua mi waka'uku dewa	Kawili
Ilocano	ludon ai, saron luday kani ai interpret	Ilokano
Indonesien	Yampukan bahasamu. berbahasa akan disesuaikan.	Bahasa Indonesia
Malay		Bahasa Malaysia
Tanuk	tanuk yang maba bahasa anda seorang berbahasa akan diberitahu	
Samoan		Gaigana Samoa
Samoan	Tusi loto 'a'ao lau gaga O le i vala zuma se fasi e i amata'ulu upu mi 'oe	
Taغالو	mi saron mo nga eng strong wika. maklawang akan ng interpret.	Taغالو
Tongan	Tulu hake hae 'oku ke lea 'i'ai E leu uake kine fakatopile.	Tonga

[illegible]Language Interpreter
Identification Card

(800) 225-5254

This card is set up to help you identify what language a person speaks so Certified Languages International (CLI) can offer you an interpreter. These are the most common encountered languages in the United States and Canada.

Here is how this card works

When a non-English speaking person is encountered, show him/her the card in the area of the world you believe he/she comes from

The message underneath each language instructs them to point to fisher language and that an interpreter will be called

Example 3

English

Point to your language.

An interpreter will be called

Call CLL with your information and ask for an interpreter for the language selected. You will be put on hold momentarily while the interpreter is contacted.



**CERTIFIED
LANGUAGES**

CLL recommends that you use speaker phones or an extension handset if available for phone interpretation.

China	中國之郵政 中國之郵政	1 4. 5	香港	香港之郵政	香港之郵政
Cantonese	廣東話	廣東話	福建話	福建話	福建話
Chaochow	潮州話	潮州話	閩南話	閩南話	閩南話
Fukienese	福建話	福建話	上海話	上海話	上海話
Mandarin	國語	國語	臺灣話	臺灣話	臺灣話
Shanghai	上海話	上海話	臺灣話	臺灣話	臺灣話
Taiwanese	臺灣話	臺灣話	臺灣話	臺灣話	臺灣話
Toisanese	台山話	台山話	台山話	台山話	台山話

French	Montrez-moi quelle langue vous parlez Nous vous montrons une merveille	Français	
Italian Creole	Montre lang tua Yap voye cheche son creole	Kreyòl Ayisyen	
Navajo	Saad bee' honisnigh nla' hwe yak tsilnish Ahi' hahue' la' naabohi' hoo'oshoh.	Diné	
Portuguese	Apresente sua língua Apresentaremos um interessante	Português	
Spanish	Señale su idioma Se le mostrará un interesante.	Español	

Burmese	မြန်မာစာ	ミャンマー
Cambodian	ខ្មែរ	カンボジア
Chinese	中國語	中国語
Dutch	荷蘭語	オランダ語
English	英語	英語
French	法蘭西語	フランス語
German	獨逸語	ドイツ語
Hebrew	希伯來語	ヘブライ語
Hindi	印度語	ヒンディー語
Indonesian	印度支那語	インドネシア語
Japanese	日本語	日本語
Korean	朝鮮語	韓国語
Laotian	寮國語	ラオス語
Malay	馬來語	マレー語
Manchu	滿洲語	マンチュウ語
Marathi	馬拉地語	マラーティ語
Nepali	尼泊尔語	ネパール語
Portuguese	葡萄牙語	ポルトガル語
Russian	露西尼亞語	ロシア語
Sinhalese	錫蘭語	シンハラ語
Tamil	泰米爾語	タミル語
Thai	暹羅語	タイ語
Turkish	土耳其語	トルコ語
Ukrainian	烏克蘭語	ウクライナ語
Vietnamese	越南語	ベトナム語
Yiddish	意第緒語	イディッシュ語
Zulu	祖魯語	ズールー語

[illegible]

العربية	Arabic	أعزائي وإسلامي العزيز	عربي
Հայերէն	Armenian	Հայերէն Հայաստանի Հանրապետության Հայերէն	Հայերէն
ܐܪܡܝܐ	Assyrian	ܐܪܡܝܐ ܐܪܡܝܐ ܕܡܕܢܚܐ	ܐܪܡܝܐ
דודי	Dari	دودي دودي دود	دودي
פארסי	Farsi	فارسی فارسی دری	فارسی
עברית	Hebrew	עברית עברית חדשה	עברית
קורדי	Kurdish	کوردی کوردی کرمانجی	کوردی
پښتو	Pashto	پښتو پښتو دری	پښتو
Türkçe	Türkisch	Türkisch Söz bir verdimen çalıyor.	Türkçe

Need an Interpreter?



1. Dial 1.800.CALL CLI (1.800.225.5254)
2. When the operator answers, tell them:
 - a. Your customer code is _____
 - b. The court you are calling from: _____
 - c. The language that you need: _____
 - d. Your name, phone number, and case number if for a court proceeding
 - e. Please let the operator know if you would like to connect to multiple parties (call a juror at home for example)
3. The operator will connect you with an interpreter promptly.

24 hours a day 7 days a week



CERTIFIED
LANGUAGES

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CERTIFIED
LANGUAGES

Guidelines for Using a Telephone Interpreter

For a Court Proceeding – Requires Prior AOC Approval

- CLI is available primarily for use outside of the Courtroom.
- If a last minute need arises or for a short (5-30 minute proceeding), CLI may be used with the prior approval of AOC.
- Contact Pam Sánchez, 505-827-4822 or apcpis@nmcourts.gov

Etiquette

- Address/look at the Limited English Proficient (LEP) person
- A warm smile and courteous works go a long way to help the LEP person feel more comfortable
- Avoid side conversations-they can create a sense of isolation and suspicion for the LEP person and make it difficult for the interpreter to know what to interpret.

Dialogue

- Explain that all information is confidential and encourage questions
- Speak clearly
- If multiple people are involved in the conversation, Encourage them to speak one at a time
- Short sentences are easiest to interpret
- Speak freely – all CLI interpreters are sworn to confidentiality and Interpreting Code of Ethics
- Encourage the interpreter to clarify terms with you

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Etiquette

- Address/look at the Limited English Proficient (LEP) person
- A warm smile and courteous works go a long way to help the LEP person feel more comfortable
- Avoid side conversations-they can create a sense of isolation and suspicion for the LEP person and make it difficult for the interpreter to know what to interpret.

Dialogue

- Explain that all information is confidential and encourage questions
- Speak clearly
- If multiple people are involved in the conversation, Encourage them to speak one at a time
- Short sentences are easiest to interpret
- Speak freely – all CLI interpreters are sworn to confidentiality and Interpreting Code of Ethics
- Encourage the interpreter to clarify terms with you

Guidelines for Using a Telephone Interpreter

For a Court Proceeding – Requires Prior AOC Approval

- CLI is available primarily for use outside of the Courtroom.
- If a last minute need arises or for a short (5-30 minute proceeding), CLI may be used with the prior approval of AOC.
- Contact Pam Sánchez, 505-827-4822 or apcpis@nmcourts.gov

Etiquette

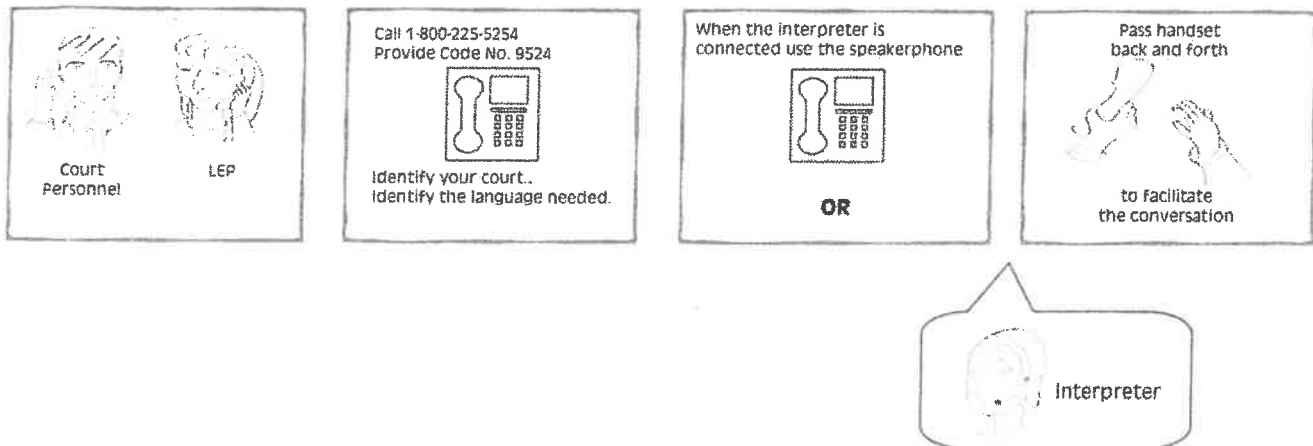
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Dialogue

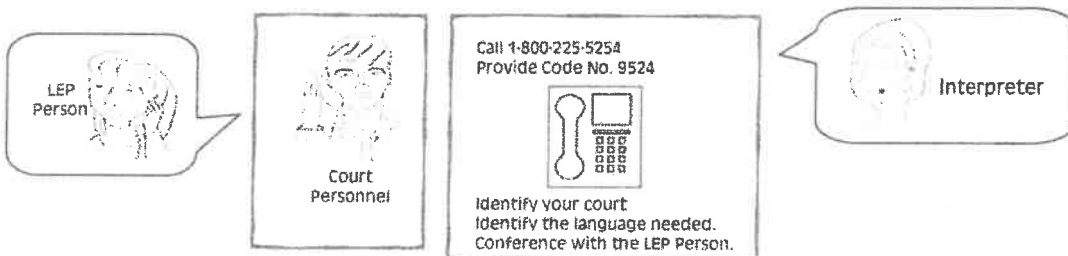
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- Encourage the interpreter to clarify terms with you

Recommendations for Effectively Using the Services of an Over-the-Phone Interpreter

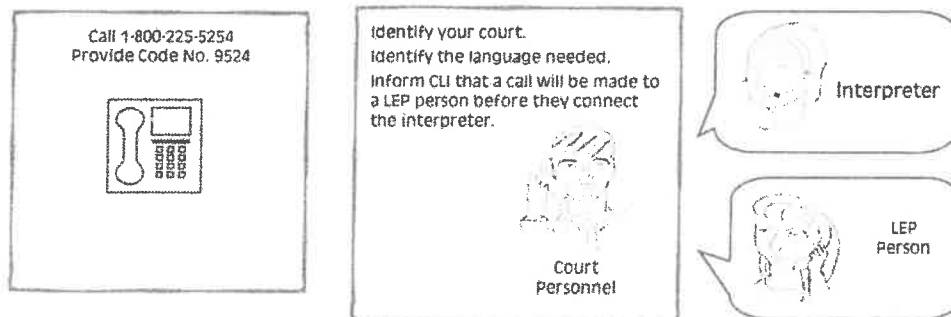
1) You are face to face with a Limited English Proficient (LEP) Person:



2) You receive a call from a Limited English Proficient Person:



3) You need to make a call to a Limited English Proficient Person:



Anthony J. Velazquez
Clerk of the Supreme Court
of the State of New Mexico

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

April 6, 2011

NO. 11-8500

IN THE MATTER OF THE APPROVAL
OF THE MANDATORY LANGUAGE ACCESS TRAINING
FOR THE JUDICIAL BRANCH OF GOVERNMENT

ORDER

WHEREAS, this matter came on for consideration by the Court upon recommendation of the Administrative Office of the Courts to approve the language access training DVD, *Language Access is Equal Access*, and to ensure that all present and future judicial employees view the training DVD; and

WHEREAS, the language access training DVD is part of the New Mexico Judiciary's effort to ensure that all New Mexico residents, regardless of their ability to speak or understand the English language, receive qualified language assistance when involved with the New Mexico state courts, and the Court having considered said recommendation and being sufficiently advised, Chief Justice Charles W. Daniels, Justice Patricio M. Serna, Justice Petra Jimenez Maes, Justice Richard C. Bosson, and Justice Edward L. Chávez concurring;

NOW, THEREFORE, IT IS ORDERED that the recommendation is ADOPTED and the language access training DVD, *Language Access is Equal*

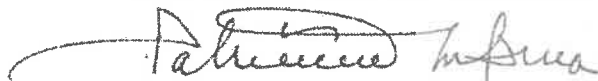
1
2 Access, is APPROVED; and

3 IT IS FURTHER ORDERED that all New Mexico judicial entities shall
4 ensure that present and future judicial employees view the language access
5 training DVD as soon as practicable.
6

7 Done in Santa Fe, New Mexico, this 6th day of April 2011.
8

9
10 

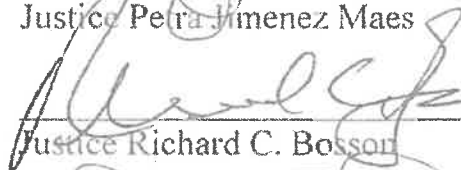
11 Chief Justice Charles W. Daniels

12 

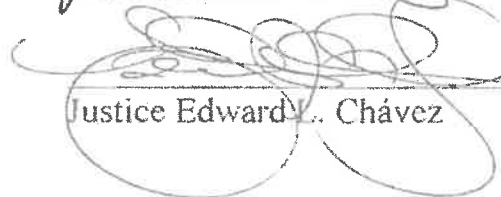
13 Justice Patricio M. Serna

14 

15 Justice Petra Jimenez Maes

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17 Justice Richard C. Bosson

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19 Justice Edward L. Chávez
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NEW MEXICO JUDICIAL BRANCH

GENERAL POLICY AND PROCEDURE

LANGUAGE ACCESS TRAINING POLICY

1. PURPOSE

The purpose of this policy is to ensure that all employees of the New Mexico Judiciary understand the importance of, the basis for, and their role in providing qualified language assistance to all individuals who use or may use the services of the New Mexico state courts.

The New Mexico Judicial Branch is committed to ensuring access to justice for all New Mexico residents and recognizes that language access is a significant aspect of equal access to justice at all points of public contact with the judiciary, within and outside the courtroom and courthouse. This commitment is consistent with both state and federal law.

Title VI of the Civil Rights Act of 1964 provides that "No person in the United States, shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. § 2000d (2010). The U.S. Supreme Court has determined that discrimination based on language (whether intended or not) is a form of national discrimination prohibited by Title VI.

The Constitution of the State of New Mexico references language access in multiple sections including the following.

Article II, Section 14 *"In all criminal prosecutions, the accused shall have the right to appear and defend himself in person, and by counsel; to demand the nature and cause of the accusation; to be confronted with the witnesses against him; to have the charge and testimony interpreted to him in a language that he understands; ..."*

and

Article VII, Section 3 provides that "[t]he right of any citizen of the state to...sit upon juries, shall never be restricted, abridged or impaired on account of...inability to speak, read or write the English or Spanish languages." To comply with this constitutional mandate, the Supreme Court has charged that "all courts should strive to incorporate all New Mexico citizens into our jury system regardless of the language spoken by a prospective NES (non-English speaking) juror." (Non-English Speaking Juror Guidelines, p. 2)

NEW MEXICO JUDICIAL BRANCH

GENERAL POLICY AND PROCEDURE

This policy has a broad application and applies to justices, judges, and all employees (probationary, term, classified, at-will and temporary employees).

2. EDUCATIONAL PROGRAMS

- A. Each judicial entity shall ensure every employee completes the AOC-approved language access training within six (6) months of hire.
- B. The Administrative Authority or designee shall certify to the Director by the first of January each year that all current employees of that judicial entity have previously received training or will receive the above training within the next six (6) months.
- C. Follow-up language access training and training on the court's language access plan may be provided, as appropriate.
- D. Each employee who attends language access training shall sign an acknowledgement that the employee has attended the training.
- E. Viewing of the Language Access Video is required by all New Mexico Judicial Branch employees (at-will employees, term, temp) and provides information that includes:
 - (1) an overview of pertinent state and federal law;
 - (2) what constitutes meaningful language access;
 - (3) a review of the role of the certified court interpreter;
 - (4) the employee's role in ensuring meaningful language access;
 - (5) a review of the language access resources provided by the Administrative Office of the Courts.

Effective Date:


Arthur W. Pepin, Director
Administrative Office of the Courts


Date

Dev: 5/2011

NEW MEXICO JUDICIAL BRANCH

LANGUAGE ACCESS TRAINING

ACKNOWLEDGMENT FORM

My signature below acknowledges:

- (1) That I viewed the AOC approved Language Access Training Video.
- (2) Receipt of the New Mexico Judicial Branch Language Access Training Policy and Supreme Court Order #11-8500 approving the policy on April 6, 2011.
- (3) My commitment to read and understand the Policy.
- (4) That should I have any questions or concerns regarding the training or policy I will contact the AOC Court Services Division, at 827-4822.

Court (Please Print)

Employee Name (Please Print)

Employee Signature

Date

Original: Employee Personnel File
Copy: Employee & Court Services Division
Copy: AOC HR

**Bernalillo County Metropolitan Court
Notice of Non-Discrimination under the ADA
and Federal Civil Rights Laws**

Notice is hereby given to the public that in accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA") and under other Federal Civil Rights Laws, the Bernalillo County Metropolitan Court ("Court") will not unlawfully discriminate against individuals on the basis of age, race, religion, color, sex (including pregnancy), national origin, ancestry, genetic information, physical or mental handicap, disability, serious medical condition, veteran's status, sexual orientation, gender identity, spousal affiliation, socioeconomic status, or political affiliation in its employment, services, programs, or activities.

Compliance with the Law: The Court will ensure that it complies with the following statutes and regulations: Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin in the delivery of services (42 U.S.C. § 2000d), and the Department of Justice "(DOJ)" implementing regulations at 28 C.F.R. Part 42, Subpart C; The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D; Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G; Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35; Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54; The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I; and The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on inherently religious activities (28 C.F.R. Part 38).

Unlawful Retaliation: The above laws prohibit agencies from retaliating against an individual for taking action or participating in action to secure rights protected by these laws.

Employment: The Court does not unlawfully discriminate against qualified individuals on the basis of any of the protected categories listed above in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA and Title VII of the Civil Rights Act of 1964, as well as other applicable Federal Civil Rights laws.

Services, Programs, or Activities: The Court does not unlawfully discriminate on the basis of any of the protected categories listed above in its services, programs, or activities as prohibited by applicable Federal Civil Rights laws.

Effective Communication: The Court will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Court's programs, services, and activities, including qualified sign language interpreters and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments. The Court is also committed to providing language access to individuals with a limited English proficiency as required by applicable federal and state laws, including Title VI of the Civil Rights Act. The Court's Language Access Plan is available in English and Spanish on its website at www.metrocourt.state.nm.us.

Request for Accommodation: Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Court should contact the ADA Coordinator at (505) 841-8106 as soon as possible but no later than 48 hours before the scheduled event. The Court will make all reasonable accommodations and all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. However, the ADA does not require the Court to take any action that would fundamentally alter the nature of its programs or services, or impose on it an undue financial or administrative burden.

Complaints: Complaints that a program, service, or activity of the Court is not accessible to persons with disabilities, to persons with a limited English proficiency, or to persons on the basis of any of the protected categories listed above should be directed to the ADA/Civil Rights Compliance Coordinator at (505) 841-8106 or at P.O. Box 133 Albuquerque, NM 87103.

No Surcharge: The Court will not place a surcharge on a particular individual with a disability or on any group of individuals with disabilities to cover the cost of providing auxiliary aids or services or reasonable modifications of any policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs. Similarly, the Court will not place a surcharge on a person with a limited English proficiency who is eligible to receive language interpretation services in accordance with the Court's Language Access Plan.

Training and Method of Notice to the Public and Employees: The Court provides training on unlawful discrimination for all incoming employees and periodic training for all existing employees. Copies of this Notice of Non-Discrimination under the ADA and Federal Civil Rights Laws, as well as the corresponding Notice of Grievance Procedures under the ADA and Federal Civil Rights Laws are provided to all Judges and employees of the Court and are posted on the Court's External and Internal Websites, and in the Court's Customer Service Division, Administration Office, and in the Probation Division's Waiting Room.

Tribunal Metropolitano del Condado de Bernalillo
Aviso de No Discriminación según la Ley ADA
y las Leyes Federales de Derechos Civiles

Por la presente se le notifica al público que, conforme a los requisitos del Título II de la Ley para Estadounidenses con Discapacidades (ADA, por su sigla en inglés) de 1990 y según otras Leyes Federales de Derechos Civiles, el Tribunal Metropolitano del Condado de Bernalillo ("Tribunal") no discriminará a ninguna persona por motivos de edad, raza, religión, color, sexo (incluso embarazo), origen nacional, ascendencia, información genética, discapacidad física o mental, incapacidad, afección médica grave, condición de veterano, orientación sexual, identidad de género, afiliación conyugal, nivel socioeconómico o afiliación política en lo que se refiere a empleo, servicios, programas o actividades.

Cumplimiento de la Ley: El Tribunal garantizará que cumple con las leyes y los reglamentos siguientes: Título VI de la Ley de Derechos Civiles de 1964, que prohíbe la discriminación por motivos de raza, color y origen nacional con respecto a la entrega de servicios (42 U.S.C. § 2000d), y los reglamentos implementados por el Departamento de Justicia ("DOJ", por su sigla en inglés) correspondientes a 28 C.F.R. Parte 42, Subparte C; Ley Integral de Control de Delitos y Calles Seguras de 1968, que prohíbe la discriminación por motivos de raza, color, origen nacional, religión o sexo con respecto a la entrega de servicios y en el empleo (42 U.S.C. § 3789d(c)(1)), y los reglamentos implementados por el DOJ correspondientes a 28 C.F.R. Parte 42, Subparte D; Sección 504 de la Ley de Rehabilitación de 1973, que prohíbe la discriminación por motivos de discapacidad en lo que se refiere a la entrega de servicios y en el empleo (29 U.S.C. § 794), y los reglamentos implementados por el DOJ correspondientes a 28 C.F.R. Parte 42, Subparte G; Título II de la Ley para Estadounidenses con Discapacidades de 1990, que prohíbe la discriminación por motivos de discapacidad en lo que se refiere a la entrega de servicios y en el empleo (42 U.S.C. § 12132), y los reglamentos implementados por el DOJ correspondientes a 28 C.F.R. Parte 35; Título IX de las Enmiendas de Educación de 1972, que prohíbe la discriminación por motivos de sexo en los programas educativos (20 U.S.C. § 1681), y los reglamentos implementados por el DOJ correspondientes a 28 C.F.R. Parte 54; Ley contra la Discriminación por Edad de 1975, que prohíbe la discriminación por motivos de edad en lo que se refiere a la entrega de servicios (42 U.S.C. § 6102), y los reglamentos implementados por el DOJ correspondientes a 28 C.F.R. Parte 42, Subparte I; y los reglamentos del DOJ sobre el Tratamiento Equitativo para las Organizaciones Basadas en la Fe, que prohíben la discriminación por motivos de religión en lo que se refiere a la entrega de servicios y prohíbe que las organizaciones usen fondos del DOJ para actividades inherentemente religiosas (28 C.F.R. Parte 38).

Represalias: Las leyes antes mencionadas prohíben que las agencias tomen represalias contra quienes actúen o participen en acciones con el fin de defender los derechos protegidos por dichas leyes.

Empleo: El Tribunal no discrimina a quienes califican para el empleo, por ninguno de los motivos mencionados en las categorías protegidas antes indicadas, en sus procedimientos de contratación y empleo, y cumple con todos los reglamentos promulgados por la Comisión Federal para la Igualdad de Oportunidades en el Empleo conforme al Título I de la ADA y el Título VII de la Ley de Derechos Civiles de 1964, además de otras leyes Federales sobre Derechos Civiles correspondientes.

Servicios, programas o actividades: El Tribunal no discrimina por motivo de ninguna de las categorías protegidas antes mencionadas, en sus servicios, en sus programas o en sus actividades, según lo prohíben las correspondientes Leyes Federales sobre Derechos Civiles.

Comunicación eficaz: Cuando se lo solicita, el Tribunal generalmente proporciona ayuda y servicios apropiados para facilitar la comunicación eficaz con personas calificadas que tengan discapacidades, a fin de que puedan participar de manera equitativa en los programas, servicios y actividades del tribunal. Esto incluye intérpretes de lenguaje de señas cualificados y otras formas de ofrecer información de manera accesible para las personas con impedimentos del habla, del oído o de la vista. El Tribunal también tiene el compromiso de

proporcionar acceso lingüístico a quienes tienen un dominio limitado del inglés, según lo exigido por las correspondientes leyes federales y estatales, incluso el Título VI de la Ley de Derechos Civiles. El Plan de Acceso Lingüístico del Tribunal está a disposición del público, tanto en inglés como en español, en su sitio web: www.metrocourt.state.nm.us.

Solicitud de adaptaciones: Toda persona que necesite ayuda o servicios para lograr una comunicación eficaz, o la modificación de las políticas y los procedimientos para participar en un programa, servicio o actividad del Tribunal deberá comunicarse con el Coordinador de la ADA al (505) 841-8106 lo antes posible, pero a más tardar 48 horas antes del evento programado. El Tribunal hará todas las adaptaciones razonables y todas las modificaciones razonables en las políticas y los programas para garantizar que las personas con discapacidades tengan igualdad de oportunidades y así se beneficien de todos los programas, servicios y actividades. Sin embargo, la ADA no exige que el Tribunal tome medidas que alteren de manera fundamental la naturaleza de sus programas y servicios, o que impongan excesivas cargas financieras o administrativas.

Quejas: Las quejas con respecto a que un programa, servicio o actividad del Tribunal no es accesible para personas con discapacidades, personas con conocimientos limitados de inglés o personas dentro de cualquiera de las categorías protegidas antes mencionadas deberán dirigirse al Coordinador de Cumplimiento de ADA/Derechos Civiles al (505) 841-8106 o P.O. Box 133 Albuquerque, NM 87103.

Sin recargo: El Tribunal no cobrará recargo a ninguna persona o grupo de personas con discapacidades para compensar los gastos incurridos por ofrecer recursos, servicios o modificaciones razonables de cualquier política, como retirar artículos en lugares abiertos al público que no son accesibles para personas en silla de ruedas. De igual modo, el Tribunal no cobrará ningún recargo a ninguna persona con conocimientos limitados de inglés que reúna los requisitos para recibir servicios de interpretación conforme al Plan de Acceso Lingüístico del Tribunal.

Capacitación y método de notificación para el público y los empleados: El Tribunal proporciona capacitación sobre discriminación para todos los empleados ingresantes y capacitación periódica para todos los empleados actuales. Se envían copias de este Aviso de No Discriminación según la Ley ADA y las Leyes Federales sobre Derechos Civiles, además del correspondiente Aviso sobre Procedimientos para presentar Quejas según la Ley ADA y las Leyes Federales sobre Derechos Civiles, a todos los Jueces y empleados del Tribunal y se publican en los Sitios Web internos y externos del Tribunal y en la División de Atención al Público, la Oficina de Administración y la Sala de Espera de la División de Libertad Probatoria del Tribunal.



BERNALILLO COUNTY METROPOLITAN COURT

TRIBUNAL METROPOLITANO DEL CONDADO DE BERNALILLO

401 Lomas Blvd NW Albuquerque, New Mexico 87102

COMPLAINT FORM

FORMULARIO PARA PRESENTACIÓN DE QUEJAS

Date Received: ____/____/____
Fecha de recepción

Received By: _____
Recibido por

Date of Resolution: ____/____/____
Fecha de resolución

Please complete all boxes and sections on the information form. Print or type all entries.
Llene todas las secciones del formulario. Escriba a máquina o en letra de imprenta o molde.

PERSON MAKING THE COMPLAINT PERSONA QUE PRESENTA LA QUEJA

Mr. / Sr.
Ms. / Srta.

Your Last Name
Su apellido

Your First Name
Su nombre

M.I.
Inicial del
segundo nombre

Your Address:
Su dirección

Street
Número y Calle

City
Ciudad

State
Estado

Zip Code
Código postal

Your Home/Cell Phone
Number: (____) ____-____
Teléfono de su casa/celular

Your Work
Phone: (____) ____-____
Teléfono de su trabajo

Your
Email Address: _____
Dirección de correo electrónico (email)

What is the best way to contact you? Home/Cell Phone Work Phone Mail Email Other: _____
Mejor manera de comunicarse con usted: Tel. casa/celular Tel. trabajo Correo Email Otro: _____

What is the best time to contact you? Morning Afternoon Evening
Mejor horario para llamarlo: Mañana Tarde Última hora de la tarde

DETAILS OF COMPLAINT DETALLES DE LA QUEJA

Date of Incident: ____/____/____
Fecha del incidente

Identify the person and/or division in the Court: _____
Identifique a la persona o la división del Tribunal

Please describe the concern in your own words. Use the back of the form if additional space is needed. Attach any letters or other documentation that detail the issues. Please be as specific as possible, including all names and dates.

Describe lo ocurrido en sus propias palabras. Si es necesario, puede usar el reverso de este formulario. Adjunte cartas o documentos que detallen el problema. Sea lo más específico posible e incluya todos los nombres y las fechas.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

DESIRED RESOLUTION
RESOLUCIÓN ESPERADA

In your opinion, what action should be taken by the Court to resolve this matter?

En su opinión, ¿qué acción debería tomar el Tribunal para resolver este asunto?

HOW YOUR COMPLAINT IS HANDLED CÓMO SE PROCESA SU QUEJA

The vision of the Bernalillo County Metropolitan Court is to be an efficient and fair forum built on a foundation of integrity and administered by a team committed to efficient, timely, and innovative services. To this end, any complaint received by the Court will be processed in a timely manner. Complaints are processed in the order that they are received or by degree of severity. Each complaint is reviewed and investigated by a supervisor or designee. The outcome of the investigation or resolution will be disclosed to the person making the complaint.

El Tribunal Metropolitano del Condado de Bernalillo se ha fijado la meta de ser un foro justo y eficiente, fundamentado en la integridad y administrado por un equipo comprometido a ofrecer servicios eficaces, oportunos e innovadores. Con este fin, toda queja que recibe el Tribunal se procesa sin demora. Las quejas se procesan en el orden en que se reciben o según su gravedad. Un supervisor o el personal designado examina e investiga cada queja. Finalmente, se le da a conocer el resultado de la investigación o la resolución a la persona que presenta la queja.

For Staff Completion Only
Sección exclusiva para el personal

Investigation/Date: ____ / ____ / ____
Investigación/Fecha

Resolution/Date: ____ / ____ / ____
Resolución/Fecha

Complainant contacted and informed of resolution ☐ Yes ☐ No
Se informó al denunciante sobre la resolución *Sí* *No*

Date Contacted: _____
Fecha de comunicación

Reason complainant not contacted: _____
Motivo por el que no se contactó al denunciante

Bernalillo County Metropolitan Court**Notice of Grievance Procedures under the ADA and Federal Civil Rights Laws**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA") and other applicable Federal Civil Rights Laws. It may be used by anyone who wishes to file a complaint alleging unlawful discrimination on the basis of age, race, religion, color, sex (including pregnancy), national origin, ancestry, genetic information, physical or mental handicap, disability, serious medical condition, veteran's status, sexual orientation, gender identity, spousal affiliation, socioeconomic status, or political affiliation in the provision of services, activities, or programs by the Bernalillo County Metropolitan Court ("Court"). The New Mexico Judicial Branch's Personnel Rules govern employment-related complaints of disability or other unlawful discrimination.

Complaint: The Complaint should be in writing and contain information about the alleged discrimination such as the name, address, e-mail address (if any), and phone number of the Complainant, and the location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews of the Complaint, will be made available for persons with disabilities upon request.

Complaint Submitted to ADA/Civil Rights Compliance Coordinator: The Complaint should be submitted by the Complainant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation to: ADA/Civil Rights Compliance Coordinator, Bernalillo County Metropolitan Court, P.O. Box 133, Albuquerque, NM 87103. If Court Staff should receive a Complaint of alleged discrimination, Staff shall forward the Complaint to the ADA/Civil Rights Compliance Coordinator. Complaints also may be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 Seventh Street N.W., Washington, DC 20531.

Investigation of Complaint: Within five (5) business days after receipt of the complaint, the ADA/Civil Rights Compliance Coordinator will begin conducting an internal investigation of the Complaint. Consistent with the New Mexico Judicial Branch Personnel Rules and the Court's Human Resources Standard Operating Procedures, employment-related Complaints of alleged discrimination shall be referred by the ADA/Civil Rights Compliance Coordinator to the Court's Human Resources Director for investigation or for further referral to the Administrative Office of the Courts for investigation.

Discussion with Complainant: Within fifteen (15) calendar days after receipt of the complaint, the ADA/Civil Rights Compliance Coordinator or his/her designee will speak with the Complainant to discuss the alleged Complaint and possible resolutions.

Response to the Complaint: Within fifteen (15) calendar days after the discussion/meeting, the ADA/Civil Rights Compliance Coordinator or his/her designee will respond in writing and, where appropriate, in a format accessible to the Complainant, such as large print or an audio disk. The response will explain the position of the Court and offer options for substantive resolution of the Complaint.

Appeal: If the Complainant is not satisfied with the response by the ADA/Civil Rights Compliance Coordinator or his/her designee, the Complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the response by sending a written notice of the appeal to: Court Executive Officer, Bernalillo County Metropolitan Court, P.O. Box 133, Albuquerque, NM 87103

Response to Appeal: Within fifteen (15) calendar days after receipt of the appeal, the Court Executive Officer will meet with the complainant to discuss the complaint and possible resolutions.

Within fifteen (15) calendar days after the meeting, the Court Executive Officer will respond in writing and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

Notice to Subrecipients of Federal Grant: In September of 2013, the Metropolitan Court was awarded nearly \$1.3 million in federal funding to enhance two of the Court's successful specialty court programs, the DWI Drug Court and Mental Health Court. The grant is from the Department of Justice's Bureau of Justice Assistance and Substance Abuse and Mental Health Services. In all contracts with Contractors providing services to the Court under the Grant, the Court has notified those Contractors of prohibited acts of discrimination and of the requirements for having grievance procedures for filing any Complaints of alleged discrimination. Compliance with these requirements and notifying the Court of any such claims are material terms of those contracts.

Training: The Court provides training on unlawful discrimination for all incoming employees and periodic training for all existing employees. Copies of this Notice of Grievance Procedures under the ADA and Federal Civil Rights Laws, as well as the corresponding Notice of Non-Discrimination under the ADA and Federal Civil Rights Laws are provided to all Judges and employees of the Court and are posted on the Court's External and Internal Websites.

Records Retention: All written complaints received by the ADA/Civil Rights Compliance Coordinator, appeals to the Court Executive Officer, and responses from the same will be retained by the Court for at least three (3) years.

Tribunal Metropolitano del Condado de Bernalillo

Aviso del procedimiento para la presentación de quejas según la Ley ADA y las Leyes Federales sobre Derechos Civiles

Este procedimiento para la presentación de quejas cumple con los requisitos de la Ley para Estadounidenses con Discapacidades (ADA, por su sigla en inglés) de 1990 y otras Leyes Federales sobre Derechos Civiles correspondientes. Podrán usarlo aquellas personas que deseen presentar quejas en las que se alegue discriminación por motivos de edad, raza, religión, color, sexo (incluso embarazo), origen nacional, ascendencia, información genética, discapacidad física o mental, incapacidad, afección médica grave, condición de veterano, orientación sexual, identidad de género, afiliación conyugal, nivel socioeconómico o afiliación política para la provisión de servicios, actividades o programas ofrecidos por el Tribunal Metropolitano del Condado de Bernalillo ("Tribunal"). Las Reglas de Personal del Poder Judicial de Nuevo México rigen el proceso de quejas relacionadas con el empleo por discriminación debido a discapacidad y otros tipos de discriminación.

Queja: La Queja debe presentarse por escrito y debe incluir información sobre la presunta discriminación, como nombre, domicilio, dirección de correo electrónico (de haberla) y número de teléfono del Reclamante, y el lugar, la fecha y la descripción del problema. Podrán ofrecerse medios alternativos para la presentación de quejas, como entrevistas personales del Reclamante, para las personas con discapacidades que así lo soliciten.

Presentación de la Queja ante el Coordinador de Cumplimiento de ADA/Derechos Civiles: El Reclamante, o la persona designada, debe enviar la Queja tan pronto como sea posible, pero dentro de los sesenta (60) días naturales posteriores a la presunta infracción a: ADA/Civil Rights Compliance Coordinator, Bernalillo County Metropolitan Court, P.O. Box 133, Albuquerque, NM 87103. Si el Personal del Tribunal recibe una Queja por presunta discriminación, el Personal reenviará la Queja al Coordinador de Cumplimiento de ADA/Derechos Civiles. Las Quejas también pueden enviarse a la Oficina para Derechos Civiles: Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 Seventh Street N.W., Washington, DC 20531.

Investigación de la Queja: Dentro de los cinco (5) días laborales posteriores a la fecha en que reciba la queja, el Coordinador de Cumplimiento de ADA/Derechos Civiles iniciará una investigación interna de la Queja. Conforme a las Reglas de Personal del Poder Judicial de Nuevo México y a los Procedimientos Operativos Estandarizados de Recursos Humanos del Tribunal, las Quejas relativas al empleo por presunta discriminación debe enviarlas el Coordinador de Cumplimiento de ADA/Derechos Civiles al Director de Recursos Humanos del Tribunal para su investigación o posterior envío a la Oficina de Administración de Tribunales para su investigación.

Conversación con el Reclamante: Dentro de los quince (15) días naturales posteriores a la fecha en que reciba la queja, el Coordinador de Cumplimiento de ADA/Derechos Civiles o la persona designada hablará con el Reclamante para conversar de la presunta Queja y de posibles resoluciones.

Respuesta a la Queja: Dentro de los quince (15) días naturales posteriores a la conversación/reunión, el Coordinador de Cumplimiento de ADA/Derechos Civiles o la persona designada responderá por escrito y, cuando sea apropiado, en un formato accesible para el Reclamante, como letra grande o un disco de audio. La respuesta explicará la postura del Tribunal y ofrecerá opciones para la resolución real de la Queja.

Apelación: Si el Reclamante no está satisfecho con la respuesta del Coordinador de Cumplimiento de ADA/Derechos Civiles o la persona designada, el Reclamante o la persona designada podrá apelar la

decisión dentro de los quince (15) días naturales posteriores a la fecha en que se reciba la respuesta, mediante el envío de un aviso escrito de apelación a: Court Executive Officer, Bernalillo County Metropolitan Court, P.O. Box 133, Albuquerque, NM 87103.

Respuesta a la Apelación: Dentro de los quince (15) días naturales posteriores a la fecha en que se reciba la apelación, el Director Ejecutivo del Tribunal se reunirá con el Reclamante para conversar sobre la queja y las posibles resoluciones. Dentro de los quince (15) días naturales posteriores a la fecha de la reunión, el Director Ejecutivo del Tribunal responderá por escrito y, cuando sea apropiado, en un formato accesible para el Reclamante, con una resolución final con respecto a la queja.

Aviso para quienes reciben subvenciones del gobierno: En septiembre de 2013, al Tribunal Metropolitano se le otorgaron casi \$1.3 millones en fondos federales para mejorar dos de los programas judiciales de especialidad exitosos del Tribunal, el Tribunal de Drogas y DWI y el Tribunal de casos de Salud Mental. La subvención proviene de la Oficina de Asistencia para la Justicia y los Servicios contra el Abuso de Sustancias y para la Salud Mental del Departamento de Justicia. En todos los contratos con Contratistas que ofrecen servicios al Tribunal bajo esta Subvención, el Tribunal ha notificado a esos Contratistas sobre los actos prohibidos de discriminación y de los requisitos para seguir los procedimientos correspondientes a la presentación de Quejas por presunta discriminación. El cumplimiento de estos requisitos y la notificación al Tribunal de dichos reclamos son condiciones de vital importancia en dichos contratos.

Capacitación: El Tribunal proporciona capacitación sobre discriminación para todos los empleados ingresantes y capacitación periódica para todos los empleados actuales. Se envían copias de este Aviso sobre Procedimientos para presentar Quejas según la Ley ADA y las Leyes Federales sobre Derechos Civiles, además del correspondiente Aviso de No Discriminación según la Ley ADA y las Leyes Federales sobre Derechos Civiles, a todos los Jueces y empleados del Tribunal, y se publican en los Sitios Web internos y externos del Tribunal.

Retención de registros: Todas las quejas por escrito que recibe el Coordinador de Cumplimiento de ADA/Derechos Civiles, las apelaciones enviadas al Director Ejecutivo del Tribunal y las respuestas a las mismas serán retenidas por el Tribunal por un período mínimo de tres (3) años.
